

MEMORANDUM

TO: Charles Jeffress, Chief Administrative Officer

FROM: Thomas Coogan, Special Counsel to the IG
David Maddox, AIG for Resource Management

DATE: January 3, 2006

SUBJECT: Comments on the Draft LSC Strategic Directions 2006-2010
(Revised)

Introduction

Thank you for the opportunity to comment on the draft LSC Strategic Directions 2006-2010 document and for meeting with us. We hope the following information will be helpful to you as you move towards finalizing the Strategic Directions.

We applaud LSC Management and the Board for putting forward its Strategic Directions in an attempt to bring forward a common vision by which the Board, Management, the OIG and other stakeholders can organize around in terms of guiding direction and resources. In addition to seeking public comment, we urge you to keep all key Congressional members and staffs from the Oversight and Appropriations Committees and appropriate program officials at the Office of Management and Budget fully informed of LSC planning during this developmental period, a critically important aspect of the planning process.

As background, during the Corporation's first strategic directions process, the Board found that "the OIG provided helpful advice and comment to the Corporation's management as it developed the programmatic portion of the proposed Plan" (The Board's Semiannual Report to the Congress, October 1, 1997 - March 31, 1998). We hope our comments will continue to assist in a positive manner to increase the efficiency and effectiveness of LSC and its grantees operations and prevent fraud, waste and abuse.

During the public comment period, the OIG puts forward these comments and will work in a constructive manner to address these comments going forward if the Board so chooses. The OIG offers these comments while recognizing our independent reporting responsibilities that ultimately the OIG may be called on by Congress to assess LSC performance of its mission.

Summary

We recently initiated our work as a result of your request for public comment on the draft plan. As such, this memorandum is not a standard OIG report and neither contains recommendations that must be considered by LSC Management nor follows standards or practices applicable to OIG projects. Please consider our comments to be advisory in nature.

We reviewed and discussed among ourselves and with you, the draft LSC Strategic Directions 2006-2010 document. We also considered earlier planning documents, looked at strategic plans from other organizations, and identified tools used to evaluate strategic plans.

As a result of our work, we suggest that LSC consider:

1. Ensuring that its mission statement reflects its role as a source of federal funding for legal services;
2. Adopting a mission statement for the long-term;
3. Validating Congress' agreement with the mission statement;
4. Modifying the plan to adjust for realities;
5. Self-assessing the plan under OMB and GAO criteria;
6. Developing a balanced scorecard of performance measures;
7. Identifying data that should be captured to measure performance;
8. Establishing a national technology investment strategy
9. Establishing an annual strategic planning review cycle;
10. Documenting and memorializing the environment around this planning effort and the strategic challenge;
11. Comparing earlier planning documents;
12. OIG section-by-section comments; and
13. Suggested performance measures.

At the conclusion of the suggestions are two appendices with questions developed by the Office of Management and Budget and the Government Accountability Office that should be addressed during a strategic planning process.

Comments

1. Ensure LSC's Mission Statement Reflects Its Role as a Source of Federal Funding for Legal Services

The draft LSC Strategic Directions 2006-2010 starts with this mission statement: "To promote equal access to justice in our Nation and to provide high quality civil legal assistance to low-income persons." This mission seems to be derived from the declaration of purpose of the Legal Services Corporation Act, Sections 1001(1)-(3), 42 U.S.C. 2996, "Congressional findings and declaration of purpose."

The LSC Act, however, further states in Section 1003, "Legal Services Corporation":

(a) Establishment; purpose

There is established in the District of Columbia a private nonmembership nonprofit corporation, which shall be known as the Legal Services Corporation, for the purpose of providing financial support for legal assistance in noncriminal proceedings or matters to persons financially unable to afford legal assistance.

In comparing the two sections, LSC has chosen to define its mission under Section 1001's "promoting equal access to justice" and not under Section 1003's "providing financial support." Because of the importance of providing federally-funded grants, we suggest you consider including that activity in the LSC mission statement.

2. Adopt a Mission Statement for the Long-Term

In conducting our review, we noticed that LSC's mission statement has not been consistent and has changed. For example, the "Special Report to Congress: State Planning Reconfiguration" (LSC: September 2001) states that the LSC mission is "[t]o provide high quality legal assistance to those who would otherwise be unable to afford adequate legal counsel." However, an LSC web page states that LSC's mission is "to promote equal access to the system of justice and improve opportunities for low-income people throughout the United States by making grants for the provision of high-quality civil legal assistance to those who would be otherwise unable to afford legal counsel."

It will be important for strategic and operational planning efforts and resource allocations, which rely on a solid foundation that includes a well-established mission statement, for there to be an LSC mission statement for the long-term. Precisely defining the mission statement will improve the overall focus of the rest

of the plan. The Board should be presented with a mission statement that will not be subject to change in order provide stability to the planning process and LSC's mission over the five-year life span of the plan and beyond. There will be a long-term benefit to LSC if there is unanimous agreement and strong support about LSC's mission statement.

3. Validate that Congress Agrees with the Mission Statement

The differences resulting from LSC's reliance on Section 1001 and not on Section 1003 (or other legislation) could be significant if they do not reflect Congressional intent and expectations. In preparing its strategic plan, LSC should consult Congress regarding its mission statement as stated by the General Accountability Office (GAO) because

[t]he mission statement brings the agency into focus. It explains why the agency exists and tells what it does. Because programs ultimately must have a statutory basis and because Congress is the source of legislation creating, modifying, and funding programs, Congress' involvement is indispensable in defining each agency's mission and establishing its goals. This involvement may entail identifying legislative changes that are needed to clarify or modify Congress' intent and expectations or addressing differing conditions and citizens' needs that have occurred since the original statutory requirements were established.

* * *

The requirement for agencies to consult with Congress in developing their strategic plans presents an important opportunity for congressional committees and the executive branch to work together to address the problem of agencies whose (1) missions are not well-defined or are not aligned with related efforts in other agencies, (2) goals are unclear or nonexistent, and (3) programs are not properly targeted. Such consultations should be helpful to Congress in modifying agencies' missions; setting better priorities; and restructuring, creating, or terminating programs.¹

The OIG recommends LSC formally consult with its oversight committees, explain the differences between Sections 1001 and 1003 and the rationale behind the proposed mission statement. If they agree, LSC should make a written record of the agreement. If they disagree, LSC should either consider revising the mission statement or seeking statutory amendment to support the mission. In addition, LSC could consider adding a "vision statement"

¹ GAO, "Agencies' Strategic Plans Under GPRA: Key Questions to Facilitate Congressional Review."

to its plan which captures aspirations and more abstract concepts, such as equal access to justice, if those concepts are not included in the mission statement.

4. Modify the Plan to Adjust for Realities

The plan uses language that identifies LSC as the principal leader in the legal services/access to justice community. See, e.g., Goal 1, Objective 3. It will be important for LSC to identify an appropriate leadership role in light of Congressional action on funding and restrictions. It will be important for LSC to recognize how its role has evolved in the equal access to justice community as State and private entities increase their leadership roles. For example, the 1996, American Bar Association Comprehensive Legal Needs Study reported that the private bar represents three times as many poor clients as the staffed legal aid offices funded by government and private charities.² If that is true system-wide, the current plan should consider including a more meaningful objective to formally partner with the private bar – presented as the largest legal services provider to the low-income population. Further, as LSC funding fails to grow at a rate commensurate with demand for legal services, and that demand is being in part addressed to increasing state, local, and private support, LSC's leadership role is being shared by those attempting to make up for the LSC funding gap; thus, lowering LSC's funder leverage to spur innovations or change. We agree that it will be essential for LSC to coordinate with other funders so it can provide leadership in the legal services community.

Regarding LSC funding of grantees, the plan also references the competitive grant process, which implies if not expressly states that there are competitors for LSC grants. In fact, the existence of "competition" is doubtful when only a handful of service areas have had more than one applicant for LSC grants. A more accurate term might be applicant quality assurance rather than referring to competition. These and similar assumptions should be examined and modified, as appropriate, to ensure that the plan is based on an up-to-date assessment of the legal services environment backed up by verifiable data.

5. Self-Assess the Plan under Office of Management and Budget (OMB) and Government Accountability Office (GAO) Criteria

OMB

Two main government management accountability and improvement frameworks should be kept in mind when creating strategic plans and competing against other interests and agencies for limited discretionary federal funding. Those are the Government Performance and Results Act of 1993 ("GPRA," or "the Results Act") and the President's Management Agenda (PMA) and its Program Assessment Rating Tool (PART).

² American Bar Association, "Agenda for Access: The American People and Civil Justice – Final Report on the Implications of the Comprehensive Legal Needs Study". Page 26.

Government Performance and Results Act (GPRA)

The previous Board and President committed to Congress at several different points that LSC would voluntarily comply with the GPRA. They recognized that the GPRA requires government agencies to develop multi-year strategic plans, and to submit annual performance plans with their budget requests, along with a report on the previous year's performance results in terms of that year's plan. "Although LSC is not a federal agency, and thus not subject to GPRA, it has elected to follow a planning process based upon GPRA, to bring its budget processes into conformity with those of federal agencies and, more importantly, to promote sound management and effective realization of the Corporation's mission."³

In reviewing the document we see the strong design of a GPRA modeled plan with a noted exceptions of mission and operational performance measures and the identification of key external factors or risks which could significantly affect LSC's achievement of its goals, which is worthy of consideration for inclusion.

President's Management Agenda (PMA)

According to the President's Management Agenda, there are five areas of management weakness or challenge areas across the government where improvements and the most progress can be made and worthy of additional consideration and mention in the plan. They are:

- Budget and Performance Integration
- Strategic Management of Human Capital
- Improving Financial Performance
- Expanding Electronic Government
- Competitive Sourcing

OMB has created the Management Scorecard that tracks how well the departments and major agencies are executing their missions. The scorecard employs a simple grading system:

- Green for success,
- Yellow for mixed results, and
- Red for unsatisfactory.

Program Assessment Rating Tool (PART)

Underlying the agency score is the Program Assessment Rating Tool (PART) developed to assess and improve program performance so the Federal government can achieve better results. A PART review helps identify a

³ LSC Board of Director's Semiannual Report to the Congress, October 1, 1997 - March 31, 1998

program's strengths and weaknesses to inform funding and management decisions aimed at making the program more effective in achieving its mission. Therefore, the PART looks at all factors that affect and reflect program performance including program purpose and design; performance measurement, evaluations, and strategic planning; program management; and program results. Because the PART includes a consistent series of analytical questions, it allows programs to show improvements over time, and allows comparisons between similar programs.

The PART uses the following weighting system to grade government programs.

Program Purpose & Design	20%
Strategic Planning	10%
Program Management	20%
Program Results/Accountability	<u>50%</u>
Total Program Score	100%

Underlying the scorecard and PART is their use in funding to give greater focus on specific program performance and effectiveness. The release of the President's FY05 Budget displayed a correlation between program and agency scores and the President's budget presented to Congress. As such, the OIG encourages management to review the PART's Competitive Grant Program Analysis Questions to see if other concepts such as demonstrable results should be further incorporated into the document possibly as a strategy. These questions are listed in Appendix I.

GAO

In May 1997, the United States General Accounting Office (now the United States Government Accountability Office) (GAO) prepared a document entitled "Agencies' Strategic Plans under GPRA: Key Questions to Facilitate Congressional Review." Appendix II contains a list of GAO questions designed for Congressional staff to ask federal agencies about the agency strategic plan. In preparation for your discussions with LSC oversight committees, we encourage you to examine these questions.

6. Develop a Balanced Scorecard of Outcome-Based Performance Measures

In the application of performance measures, LSC needs to develop performance measures for all missions, goals and objectives listed in the plan. LSC must have the ability to gauge its progress in fulfilling its mission if it is to remain successful in competing for increasingly competitive and limited federal dollars. An objective could be to collect accurate and reliable information sufficient to determine the cost-effectiveness of individual grantee and delivery system performance and improve the dated LSC Case Services Reporting (CSR) system (which may be

less meaningful in light of state planned communities, unbundling of services and a technology enabled delivery system). This could potentially explain why CSR numbers are consistently falling as resources are finding other uses that are not measured.

In 2001, LSC also created a legal matters reporting system to represent the brief service and advice activities that grantees do but are not captured by the CSR system. Examples of matters are Community Legal Education, Pro Se Assistance, Referrals, Outreach like Public Service Announcements and Mediation. Unfortunately, these measures of activities are rough estimates.

As included in your Goal 1 increase access performance measures, there are some measures of increased access to legal information and pro se services available through the statewide websites partially funded by the LSC TIG program. Although measures of web services of these types may need to evolve, they represent the timely provision of legal information, education and downloadable documents to grateful poverty law clients at almost zero cost per additional user. These access points into the legal services system need to be better incorporated into newer, more accurate and verifiable performance measurement of the entire legal service spectrum to inform the Congress as to the return of their appropriated monies in a qualitative numbers.

We suggest that LSC set as one of its goals the development of a balanced scorecard of performance measures to be implemented over the course of the new five-year strategic planning document. This will better prepare LSC to both measure its performance as well as to be prepared in the event Congress imposes such requirements.

7. Identify Data That Should Be Captured to Measure Performance

Inherent in an effective performance measurement system is the existence of reliable and meaningful data. LSC should address how such data will be identified, gathered, analyzed, and reported as part of its strategic planning efforts in a low cost manner.

8. Establish a National Technology Strategy

As of today, there is no legal aid national technology investment strategy or a defined technology leadership structure yet the importance of information technology is sweeping throughout this plan to leverage resources and access to the legal system. In the sixth year of the TIG program, there is no Board Technology Committee, Steering Committee or Chief Information Officer to develop technology policy, investment strategy and return on investment on a national basis. There is a need for cost benefit analyses documenting the increased cost efficiencies of the various legal services technology investments and effectiveness in bringing greater access to legal information, education and services to the low-income community. Once the business case is made projects

with the largest returns should be considered for special funding and national rollout. Please consider strategies to address these areas.

9. Establish an Annual Strategic Planning Review Cycle

As the practice of strategic management is a continuous and dynamic process where environmental events can lead to large reconsiderations it is recommended in the Directions the Board set forth a regular review cycle commitment in the document potentially to coincide with the creation of annual plans.

10. Document and Memorialize Strategic Planning Efforts and Challenges

When reviewing the 2000-2005 plan we found the summation of the environment to be very instructive in reconstructing the situation, chief challenges and the strategic assumptions that leadership were acknowledging before putting down objectives and strategies to manage those challenges in place. It appears the shortfall in legal services delivery capacity to meet needs is still the most or one of the most critical challenges to program effectiveness. By explicitly stating this challenge, Goal 1 and its objectives seem to become clearer as ways to attack the central challenge to attain and use resources most efficiently and effectively, providing the reader a greater context. Environmental factors including state planning, consolidation of grantees and the growing importance of non-federally funders and non-LSC legal providers could be discussed. Since all planning items are made to be retrospectively analyzed we suggest management consider memorializing the current leadership view of the environment and relevant challenges (for instance recognizing the challenge of creating and implementing relevant outcome performance measures to support the program at the federal, state and local levels).

11. Compare Earlier Planning Documents

When comparing the goals of the two documents it is apparent that a change in policy direction has occurred from increasing legal services provided to eligible clients to increasing funds available in order to respond appropriately to more of their needs.

Goals: Directions 2000-2005

- By 2004, LSC will dramatically increase the provision of legal services to eligible persons.
- By 2004, LSC will ensure that eligible clients are receiving appropriate and high-quality legal assistance.

Goals: Current Draft

- Increase public awareness of and support for civil legal services to low-income persons in order to respond appropriately to more of their legal needs.
- Enhance the quality and compliance of legal services programs.
- Ensure that LSC operates efficiently and effectively.

The current draft Goal 1 combines at least three objectives: increased awareness, greater funding, strengthen partnerships, increase access and quantity of legal services to the low-income individuals; the result is an over-tasking of one goal. The combination of four to five related but separately measured management areas appear to minimize the importance of increasing access to legal services to approximately forty millions of eligible persons. It also seems to imply increasing funding is the only method to employ to increase access to services. There are others such as increasing the efficiency and effectiveness of the grantee operations, pro se, and/ pro bono programs. We recommend separating these items into a larger number of goals to give them increased visibility and measurability.

The original Directions offered three principals strategies:

- Statewide planning to integrate, coordinate and increase resources available for civil legal assistance.
- Greatly expanded use of technology by LSC programs to improve access and client service delivery.
- Ensuring quality and accountability through programmatic oversight.

State Planning was identified in the Strategic Directions 2000-2005 document as the primary strategy to integrate, coordinate and increase resources available for civil legal aid and increase access to services.

The draft Directions offers a very large number of operational strategies that do not appear as nearly coordinated or focused; potentially some could be combined to give the plan more impacts in general areas such as those five areas set out by the President's management Agenda performance measures, and related work that has been done by LSC over the years.

12. OIG Section-by-Section Comments

The following comments are targeted to particular provisions of the plan.

- **Goal 1, Objective 1.** Suggest adding the word “and” between LSC and grantees. It is important that LSC’s role be recognized if it is to try to raise funds from the private sector for projects of national significance. A potential strategy would be the addition of an LSC certification of each LSC grantee. This would highlight their meeting national LSC quality standards and potentially provide a competitive advantage in receiving funding from alternative sources. It also would clarify that LSC itself does not directly provide legal services. Finally, this is the first mention in the plan of “LSC grantees” or a reference grant making. Consider mentioning grant making in the mission, goals, or both.

The 1996 ABA Comprehensive Legal Needs Study found that “most people facing situations that have a legal dimension do not turn to the civil justice system for help.” LSC, and potentially the larger ABA, have a communication challenge to get the message out about the benefits their services bring to the lives of clients and to educate the public so they know when they are faced with an issue whether legal assistance would be of value and should be pursued. This could be considered as an additional communications strategy. As a general matter, this and other goals should be stated in a manner that allows for future assessment of whether they are being achieved.

We also note that the ordering of goals and objectives could be important since many people assume what comes first is what is most important. In the draft, the first goal and first objective is “increasing public awareness and support” by “more effectively inform[ing] the public of what LSC grantees do.” Placing public relations and communications as the first goal and objective could overshadow equally or more important goals and objectives. Further, you may wish to take in to consideration the legal restrictions and controversy sometimes surrounding the use of federal funds for “self-promotion” in evaluating this goal and objective.

- **Goal 1, Objective 3.** Consideration should be given to formalize LSC relationships with other federal organizations like DOJ (Domestic Violence against Women), HUD (farm worker housing) and HHS (rural doctor health services) who oversee grant programs targeting assistance of the same population where LSC could offer an existing legal services support system serving every county in the United States.

Strategic plans often define stakeholders and customers affected by the success of which the entity completes its mission. LSC as a federally funded grant maker ultimately has several groups of people including the Congress, low-income community, public interest attorneys, and ultimately the taxpayers. Inclusion of effected groups would help define the importance of its mission and keep eyes on those directly and indirectly affected by the work of LSC and those it funds.

In addition, it could be important for LSC not only to strengthen existing “positive” relationships but also to develop new relationships as well as help improve “negative” relationships with those who do not fully support LSC.

- **Goal 2, Objective 1, Strategy 1.** Consider listing the four performance areas, which would convey the general areas of LSC grant-maker interest and thus convey more substance to the strategy.
- **Goal 2, Objective 1, Strategy 1.** Consider a 1980 GAO recommendation that LSC: “Expand evaluation procedures to assure that grantees comply with priority-setting requirements. Place a high priority on implementing the program management information system and ensure that it will enable comparison of grantee services provided with established priorities.” The former LSC Board did create a recommended set of National priorities. A survey could be done of what services are offered and where they are not and why so that as to review the shape of the federally funded legal aid.
- **Goal 2, Objective 1, Strategy 2.** The use of the “competitive grant process” seems to be an interpretation. To have a competitive process do you not need a competitor. Being that only a handful of service areas have more than a single qualified applicant this appears misleading. If LSC wanted to introduce competition, alternatives should be studied. For instance, it would appear the existing grants could be competed on the basis of brief service and advice (70%+ of case services counted by the CSR) versus extended services. Based on the numbers of telephonic prepaid providers of legal services more competition might be brought in, potentially lowering the cost of service on a per service basis. Such innovative structural alternatives could be reviewed as a strategy.
- **Goal 2, Objective 1, Strategy 4.** “Make better use of data” could include the use of mapping that has uses for providing a picture of the geographic distribution and movements of poverty and LSC income-eligible populations comparing with clients served and legal services provided, measuring the success of grantees’ various programs and outreach initiatives in reaching the areas of need; and to more effectively communicate to funders.
- **Goal 2, Objective 2, Strategy 3.** We recommend that the concept of diversity include increasing professional diversity of Board composition that is a best practice to increase the oversight capabilities to as many facets of a legal services operation as possible.

Please also note that at the end of Goal 2 the draft mentions “outcome measures” together with “performance measures” and that “outcome

measures” probably should be deleted to make this consistent with the wording in Goals 1 and 3.

Goal 3.

To ensure LSC operates efficiently and effectively, you may wish to consider establishing a Chief Financial Officer as well as a Chief Information Officer who can report to the President and to the Board. In addition, the plan should consider addressing the possible expansion of Sarbanes-Oxley in to the private, not-for-profit sector. One model for addressing this is available through the American Institute of Certified Public Accountants. *The Audit Committee Toolkit: Not-for-Profit Organizations* is designed for audit committees of not-for-profits and contains a comprehensive set of best practices to help them discharge their responsibilities appropriately. The toolkit is available at from the AICPA website: www.aicpa.org/Audcommctr/toolkitsnpo/homepage.htm.

Finally, to ensure organizational integrity, an underpinning of efficiency and effectiveness, we suggest that LSC include in its planning the implementation of a corporate-wide code of conduct and ethics.

Consider a new strategy related to targeted management. In order for LSC resources to be directed at the issues of greatest short and long-term concerns, LSC is undergoing a strategic and operational management process. Measures could include:

- Strategic and annual plan meets spirit of the Government Performance and Results Act.
- Planning process solicited the needs and concerns of LSC Board, Congressional committees and stakeholders.
- Resources were assigned according to priorities.
- Monthly management progress reports are prepared and sent to the Board.

Consider a new strategy related to Human Capital. LSC staff has the knowledge, motivation and diversity of skills to achieve the plans objectives. Measures could be:

- Percentage of professional staff with advanced degrees.
- Percentage of professional staff receiving 5 days of training per year meeting their training plan
- Percentage of training that proved effective by qualified testing.

- Percentage of staff receiving continuing professional education.
- Professions represented on staff
- Percentage of acceptable performance appraisals for Management and for staff
- Percentage of staff receiving performance based performance awards.

Consider a strategy to improve to the resource management to better integrate budget, resources, plans, actions and results via the use of activity based costing so the cost of all operational activities are visible, leading to greater accountability in resource allocations and determining if the value to customers outweighs the costs of production. Ultimately, the more efficient and effective use of funds at LSC headquarters the more resources that Congress could make available for direct legal services in the field. Measures could include:

- Number of significantly improved work process.
- Dollars saved through process elimination or improvement.

Consider a strategy to build internal capacity to perform legal aid needs studies, delivery system analysis, policy analysis and measure LSC grant program efficiency and effectiveness through a professional Program Analysis and Evaluation unit.

13. Suggested Performance Measures

In addition to the performance measures mentioned above, the following measures could be considered during the planning process.

Goals 1 & 2: Needs and Quality

- Number of eligible persons directly served (total and by types of service - brief or extended and/or geographic area).
- Access ratio of eligible persons directly served to the income-eligible population of the nation, state, LSC service area or county.
- Number of eligible persons in the household directly and indirectly served by types of service.
- Access ratio of eligible persons in the household directly and indirectly served to the income-eligible population of the nation, state, LSC service area or county.
- Number of LSC attorney hours devoted to providing assistance directly to eligible persons.
- Number of LSC grantee paralegal hours devoted to directly providing services to eligible persons.
- Number of LSC grantee total staff hours devoted to directly providing services to eligible persons.
- Numbers of hours legal aid hotlines were open and time providing assistance.
- Number of hours LSC grantees office were open.
- Services Distribution – ratio of services delivered to a measured demographic to the proportion of the poverty distribution of that demographic.
- Funding Distribution – ratio of total funding (or LSC Funding or Non LSC Funding) per income eligible person per state, service area, and county
- Number of pro bono attorney hours devoted to providing legal assistance to directly eligible persons.

- Professional Distribution – ratio of income-eligible persons to the number of legal services attorneys/ pro bono attorneys or private bar members
- Productivity Distribution – ratio of services provided to numbers of attorneys by service area or state
- Basic field dollars expended directly to providing legal assistance to directly eligible persons.
- Efficiency Measure - direct cost per eligible person served (by service type).
- Basic field dollars expended on overhead and indirect expenses to providing legal assistance to eligible persons.
- Assessed accuracy level of the service information submitted by grantees.

Goal 2: Ensuring the quality and compliance of legal services programs

- Number of LSC reviews that report violations of prohibitions on the types of services that LSC grantees may provide. It potentially could combine OCE, OIG and IPA data. (wanted result is zero).

Goal 3: Report production efficiency and effectiveness

- Percentage of assignments completed by assigned deadline.
- Customer views of timeliness of reports.

Thank you again for the opportunity to comment on the draft LSC Strategic Directions 2006-2010 and for meeting with us. We hope our comments are thought provoking and useful. If you have questions please contact Dave Maddox at x-1653 or Tom Coogan at x-1651.

APPENDIX I

COMPETITIVE GRANT PROGRAM PART ANALYSIS QUESTIONS

Program Purpose & Design

1. Is the program purpose clear?
2. Does the program address a specific and existing problem, interest or need?
3. Is the program designed so that it is not redundant or duplicative of any other federal, state, local or private effort?
4. Is the program design free of major flaws that would limit the program's effectiveness or efficiency?
5. Is the program effectively targeted, so that resources will reach intended beneficiaries and/or otherwise address the program's purpose directly?

Strategic Planning

1. Does the program have a limited number of specific long-term performance measures that focus on outcomes and meaningfully reflect the purpose of the program?
2. Does the program have ambitious targets and timeframes for its long-term measures?
3. Does the program have a limited number of specific annual performance measures that can demonstrate progress toward achieving the program's long-term goals?
4. Does the program have baselines and ambitious targets for its annual measures?
5. Do all partners (including grantees, sub-grantees, contractors, cost-sharing partners, and other government partners) commit to and work toward the annual and/or long-term goals of the program?
6. Are independent evaluations of sufficient scope and quality conducted on a regular basis or as needed to support program improvements and evaluate effectiveness and relevance to the problem, interest, or need?
7. Are budget requests explicitly tied to accomplishment of the annual and long-term performance goals, and are the resource needs presented in a complete and transparent manner in the program's budget?
8. Has the program taken meaningful steps to correct its strategic planning deficiencies?

Program Management

1. Does the agency regularly collect timely and credible performance information, including information from key program partners, and use it to manage the program and improve performance?

2. Are Federal managers and program partners (including grantees, sub-grantees, contractors, cost-sharing partners, and other government partners) held accountable for cost, schedule and performance results?
3. Are funds (Federal and partners') obligated in a timely manner and spent for the intended purpose?
4. Does the program have procedures (e.g. competitive sourcing/cost comparisons, IT improvements, appropriate incentives) to measure and achieve efficiencies and cost effectiveness in program execution?
5. Does the program collaborate and coordinate effectively with related programs?
6. Does the program use strong financial management practices?
7. Has the program taken meaningful steps to address its management deficiencies?
8. Are grants awarded based on a clear competitive process that includes a qualified assessment of merit?
9. Does the program have oversight practices that provide sufficient knowledge of grantee activities?
10. Does the program collect grantee performance data on an annual basis and make it available to the public in a transparent and meaningful manner?

Program Results/Accountability

1. Has the program demonstrated adequate progress in achieving its long-term performance goals?
2. Does the program (including program partners) achieve its annual performance goals?
3. Does the program demonstrate improved efficiencies or cost effectiveness in achieving program goals each year?
4. Does the performance of this program compare favorably to other programs, including government, private, etc., with similar purpose and goals?
5. Do independent evaluations of sufficient scope and quality indicate that the program is effective and achieving results?

APPENDIX II

QUESTIONS DEVELOPED BY GAO FOR CONGRESS TO ASK AGENCIES REGARDING STRATEGIC PLANNING

Questions about Mission

1. Is LSC's mission results-oriented, and does it fulfill a public need? If not, how could the mission better focus on results?
2. Is the mission based on statute, and if so, does it cover all relevant statutes and does it meet with Congressional intent and expectations?
3. Are parts of LSC's functions or activities not covered in the mission statement? Why?
4. Are there developments that suggest the mission and corresponding legislation need to be revised or updated?
5. Is LSC's mission similar to those of other entities, and if so, has coordination occurred? Does unwarranted duplication of missions exist?
6. How is LSC's mission differentiated from those of other entities with similar missions? Are there unique LSC characteristics that give it an advantage in fulfilling its mission, such as location or staff expertise?

Questions about Goals

1. Do the goals cover the major functions and operations of LSC? If not, what functions and operations are missing? Are the goals logically related to the mission?
2. Are the goals results-oriented (such as reduce workplace accidents) or are they focused more on outputs (such as inspecting more workplaces)? If so, why?
3. If the goals are not expressed in a quantitative or measurable form, are they expressed in a manner that will allow LSC and Congress to assess whether the goals are achieved?
4. Are all of LSC's goals and priorities consistent with Congress' goals and priorities? When differences exist, why do they exist, and can they be resolved?
5. Do LSC's goals appear similar to the goals in plans of other entities that are performing related activities? If so, are these sets of goals complementary or duplicative?

Questions about Objectives and Strategies for Achieving Goals

1. How are the objectives to be achieved? Are the strategies logically linked to the objectives and the day-to-day activities of the managers and staff? Are they consistent with historical resource trends?

2. What steps will LSC take to align its activities, core processes, workforce, and other resources to support its mission-related outcomes?
3. What are the required resources, such as human, capital, and information? Are new regulations or legislation required?
4. What steps is LSC taking to ensure that managers have the authority they need to achieve results? Are there strategies to hold managers accountable for the results? Are there any strategies that focus on providing incentives for managers and other staff to achieve the goals?
5. Do managers have the knowledge, skills, and abilities to implement GPRA? If not, what strategies are needed to develop the necessary capacity?
6. Are technological advances necessary to successfully execute the strategies? If so, how likely are those advances?
7. What, if any, alternative strategies were considered?
8. Are there programs or activities that need to be eliminated, created, or restructured to achieve the goals?